UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,616	12/19/2000	Lizy Kurian John	UTAU:1100RCE	5809

34725 7590 04/21/2006		

CHALKER FLORES, LLP
2711 LBJ FRWY
Suite 1036
DALLAS, TX 75234

EXAMINER
PAN, DANIEL H

ART UNIT	PAPER NUMBER
2183	

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/741,616	JOHN ET AL.
	Examiner	Art Unit	
	Daniel Pan	2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>10 February 2006</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-10,12-29,31-38</u> is/are rejected.

7) ☒ Claim(s) <u>11 and 30</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   Claims 1-38 are presented for examination.

2.   Claims 1 ,2,8-10,13-19, 20,21 , 23-27, 31 , 35-37 , 38 are rejected under 35

U.S.C. 103(a) as being unpatentable over Nakagawa et al. (5,651,123) in view of

Sourgen et al. (5,781,470).

3.   As to the newly amended feature of within the microprocessor in claims 1, 20,

31, 38, Nakagawa taught a program control unit in a microprocessor (see col.1, lines

20-28), and also taught the preferred embodiment of program control unit in fig.4 which

included random generator counter 30 (see col.7, lines 12-32). Therefore, Nakagawa's

sequence generator 30 must be within the microprocessor.

4.   Claims 3 ,4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nakagawa et al. (5,651 ,123) in view of Sourgen et al. (5,781 ,470) as applied to claim 1

above, and further in view of Gupta et al. (5,490,280).

5.   Claims 5,6,7,22,28, 29, 32-34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nakagawa et al. (5,651,123) in view of Sourgen et al. (5,781,470) as

applied to claims 1, 20,31 above, and further in view of Williams et al . (5,530,837).

6.   The rejections are maintained and incorporated by reference the last office action

on 01/18/06.

7.   The response by applicant filed on 02/10/06 has been fully considered but is not

persuasive.

8.   In the remarks, applicant argued that :

a) Surgen's pseudo random generator 8 is not within the microprocessor;

b) Gupta disclosed a reorder buffer 507 downstream from the instruction decoder, and

the combination of Gupta with Nakawa could be upstream of the instruction decoder;

c) the combination of William with Nakawa could be upstream of the instruction

decoder;

d) Nakawa did not teach apparatus for allocating one or more resources within

microprocessor to a decoded instruction, nor selecting one or more resource identifiers

for allocation to the decoded instruction;

9.   As to a) above, Nakagawa   already taught random generator   within the

microprocessor (see fig.4).

10.   As to b) , c) above, examiner holds that both Nakagawa and Gupta and

William were applicable for both upstream and downstream.

11.   As to d), Nakagawa did not specifically show his pseudorandom resource

identifiers allocation to the decoded instruction as claimed. However, Sourgen disclosed

a system including a decoded write instruction and a generated pseudorandom value

allocated for the decoded write instruction (see how the microprocessor decoded the

write instruction , and generated the pseudo random value to activate the write pulse in

col.6,taught an apparatus for allocating one or more resources within microprocessor to

a decoded instruction, nor selecting one or more resource identifiers for allocation to the

decoded instruction; lines 1-9, see the purpose of pseudorandom generator for write

pulse in col.5, lines 58- 62). It would have been obvious to one of ordinary skill in the art

to use Sourgen in Nakagawa for allocating the pseudorandom resource identifiers to the

decoded instruction as claimed because the use of Sourgen could provide Nakagawa

the ability to select the resource identifiers (e.g. Nakagawa's pseudorandom generated

addresses) into a predefined level of processing, e.g. the decode stage, thereby

reducing the waiting cycle for decoding whenever the instruction was ready for

.execution, and because Nakagawa also taught his pseudo random resource identifiers

were generated based on a selection signal applied by a decoder which decoded a

read instruction (see col.5, lines 1 1-16), and one of ordinary skill in the ad should be

able to recognize that the resource identifiers could be applicable to the decoded

instruction as the resource identifiers might have been the destinations address

specified in the instruction already decoded, and for above, reasons , provided a

suggestion.

12.   Claims 1 1,30 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims. None of the prior art of record further teach

the combined features of the generation of the decoder stall signal by the resource

identifiers selector issued to the instruction decoder whenever the one or more resource

identifiers are not allocatable to the decoded instruction (claim 11), the comparison and

the associating of the selected resource identifiers and the decode stall signal in

response to the determination the resource within the processor corresponding to the

selected resource identifier is not allocatable (claim 30).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan whose telephone number is 703 305 9696, or the new number 571 272 4172. The examiner can normally be reached on M-F from 8:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan, can be reached on 703 305 9712, or the new number 571 272 4162. The fax phone number for the organization where this application or proceeding is assigned is 703 306 5404.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

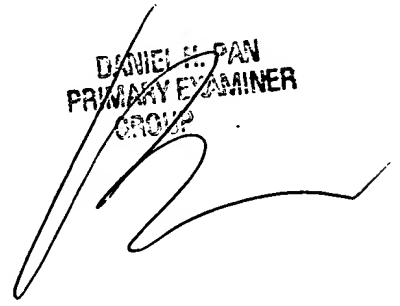Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

21 Century   Strategic   Plan